

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

STATE OF MONTANA,

Plaintiff,

vs.

DEANDRE L. GULLEY,

Defendants.

CV 22-31-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on the United States' Motion to Quash Subpoena and Motion to Dismiss (Doc. 11) on March 30, 2023. (Doc. 15). The Magistrate recommended that the Motion be granted. (Doc. 15 at 1).

Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d

422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 15) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that the United States' Motion is GRANTED. (Doc. 11). The subpoena is QUASHED, and the case is DISMISSED. The Clerk of Court shall notify the parties of the entry of this Order and is directed to CLOSE the case.

DATED this 14th day of April, 2023.



SUSAN P. WATTERS
United States District Judge